



City of Seattle

Department of Planning and Development

D.M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3012020  
**Applicant Name:** Debora Goodman  
**Address of Proposal:** 2000 SW Andover St

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 2,494 square feet and B) 2,496 square feet. Existing structures to remain.

The following approval is required:

**Short Subdivision – Multiple single-family dwelling units on a single-family lot.** To subdivide one parcel into two parcels. (Chapter 23.24.046 Seattle Municipal Code).

**SEPA – Environmental Determination (SMC 25.05)**

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

**BACKGROUND DATA**

**Site and Area Description**

The 4990 square-foot site is located in a Single Family 5000 zone (SF 5000). The corner site is located at SW Andover Street and 20th Avenue SW. The site is mapped as a potential slide area although the site has less than a 2 foot grade change across its length. The abutting property to the west is zoned LR1 while the zoning of properties in the other directions is SF5000. The street frontage



includes curbs, gutters, sidewalks, and planting strips. There is one curbcut on SW Andover St which accesses a parking space near the center of the site.

### Proposal

The applicant proposes to short plat the property using the SMC subdivision section 23.24.046 to subdivide the property when there are multiple single-family dwelling units on a single-family lot. Historically, there had been one single family home and a former corner store on the site. A permit has been issued to change the use of the former corner store to a single family residence (Permit 6265920).

### Public Comment:

- No comments received

**ANALYSIS - SHORT SUBDIVISION - Multiple single-family dwelling units on a single-family lot.** (Chapter 23.24.046 Seattle Municipal Code). The following code criteria will determine if a lot with multiple dwelling units can be short platted.

*A. The provisions of this section apply exclusively to the short subdivision of a lot in a single-family zone containing more than one (1) existing single-family dwelling unit.*

Currently there are two residential structures on the lot, each permitted to be a single family residence.

*B. A lot in a single-family zone containing more than one (1) existing single-family dwelling unit may be divided in accordance with this chapter as long as each of the following conditions is satisfied:*

- 1. Each existing single-family dwelling unit was legally established by permit or is eligible to be established as a nonconforming development in accordance with Section [23.42.102](#), Establishing nonconforming status;*

The westerly house was constructed approximately 1911 per King County tax records. The easterly house, formerly a corner store, was legally established as a non-conforming second house on one lot by permit 6265920.

- 2. Each existing single-family dwelling unit was constructed prior to February 20, 1982*

The structures containing the dwelling units were constructed prior to February 20, 1982.

- 3. Each resulting lot has one (1), but no more than one (1), existing single-family dwelling unit;*

The proposal is for only one single family dwelling unit on each lot.

- 4. Parking is provided in accordance with Section [23.44.016](#), Parking location and access, unless the Director determines that at least one (1) of the following conditions is present:*

- a. Providing parking accessory to an existing single-family dwelling unit is undesirable or impractical because of the location of an environmentally critical area, existing drainage patterns, natural features such as significant trees, or access to a resulting or adjacent lot; or*
- b. The short subdivision cannot be configured to provide parking in compliance with Section [23.44.016](#); If the Director determines that at least one (1) of the foregoing conditions is present, the Director may waive or modify the parking requirements of Section [23.44.016](#) as long as the short subdivision does not reduce the number of off-street parking spaces existing prior to the short subdivision. In connection with such waiver or modification, the Director may require access and parking easements as conditions of approval of the short subdivision; and*

The plat could be configured to add a second parking space so that each lot will have one parking space as is typically required of short plats approved under SMC 23.24.046. However, there is an exception that allows parking to be waived for lots less than 3000 sq ft which do not have access via an alley. This plat is compliant with parking requirements even if no additional space is added.

- 5. Each resulting lot conforms to all other development standards of the zone unless the Director determines that the short subdivision cannot be approved if such standards are strictly applied and modification or waiver of some or all of such standards would further the public interest. If the Director makes such determination, then the Director may waive or modify development standards, provided that:*
  - a. Each existing single-family dwelling unit shall be set back at least three (3) feet from each common lot line in the short subdivision; and*
  - b. No resulting lot shall be smaller than one thousand eight hundred (1,800) square feet.*

Due to the location of the existing structures, lot lines cannot be drawn which will satisfy all of the required yard requirements. The proposal meets a. and b. above and is therefore eligible to receive development standard waivers. Each proposed lot cannot meet the single-family development standards in that the existing buildings do not anticipate the current development standard requirements. The City of Seattle provides opportunities for various housing types and ownership configurations. Short plats are one such vehicle to provide home ownership. It furthers the public interest to waive any applicable Seattle Municipal Code development standards.

The existing development on each new lot will conform to lot coverage limitations but will be non-conforming to most yard requirements. Prior to platting, the existing corner lot development is arguably less non-conforming if the front yard is considered to be adjacent to 20<sup>th</sup> Ave SW. After this plat is approved, the easterly parcel (B) will become conforming to rear yard requirements, with no change to non-conforming front yard and the north side yard. However, the westerly parcel (A) will only have street frontage on SW Andover, creating a non-conforming front yard for that parcel in an area that was previously considered to be a conforming street side yard. This will also cause the yard along the north property line of parcel

A to change from a nonconforming side yard to a nonconforming rear yard. To allow a nonconforming yard configuration is reasonable in this case and qualifies for Director discretion to allow this plat.

*C. Structures on lots for which the Director has waived or modified development standards according to subsection B of this section will be treated as nonconforming and be subject to Section [23.42.112](#).*

#### **Summary - Short Subdivision**

Based on information provided by the applicant, referral comments from DPD, Water (SPU) (WAC 20110201), Fire Department (SFD), Seattle City Light (SCL), and review by the Land Use Planner, the above-cited criteria have been met. This short subdivision can be provided with public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions if any are needed. The existing structures are proposed to remain. No tree removal is proposed or anticipated as a result of this plat; therefore the plat maximizes the retention of trees. The proposal is compliant with SMC 23.24.046. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing ownership opportunities in the City.

#### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **GRANTED**.

#### **CONDITIONS - SHORT SUBDIVISION**

None.

#### **ANALYSIS - SEPA**

The proposal site is located in a landslide-prone critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 5, 2011. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected when the new lots are redeveloped at an unidentified time in the future: 1) temporary soil erosion; 2) increased vibration from construction operations and equipment; and 3) increase in greenhouse gas emissions due to construction activities. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

### **Earth**

The ECA Ordinance requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering letter prepared by Mark Dodds, P.E. dated March 28, 2011. The letter references soils analysis completed in 2007 and concludes that since no ground disturbance is proposed, the existing structures are safe as constructed. Additional information showing conformance with the Environmentally Critical Areas Ordinance will be required prior to issuance of future building permits.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where future grading will involve cuts or fills over certain thresholds. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

### **Long-term Impacts**

Potential long-term impacts that may occur as a result of future projects made possible by this plat include: 1) increased surface water runoff from greater site coverage by impervious surfaces, 2) increased demand on public services and utilities, and potential increase in greenhouse gas emissions from redeveloped sites. These long-term impacts are not considered significant because the impacts are minor in scope.

No new long-term impacts are anticipated as the existing development is proposed to remain at this time. Future long-term impacts are typical of single-family redevelopment and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Codes (storm water runoff from additional site coverage by impervious surface); and the Regulations for Environmentally Critical Areas.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **CONDITIONS - SEPA**

None.

Signature: \_\_\_\_\_ (signature on file) Date: July 14, 2011  
Jerry Suder, Supervising Land Use Planner  
Department of Planning and Development

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